



राजपत्र, हिमाचल प्रदेश (असाधारण)

हिमाचल प्रदेश राज्यशासन द्वारा प्रकाशित

शिमला, बुधवार, 12 नवम्बर, 1980/21 कार्तिक, 1902

हिमाचल प्रदेश सरकार

खाद्य एवं आपूर्ति विभाग

अवितृचना

शिमला-171002, 30 अक्टूबर, 1980

संख्या एक० डी० एस० ए 3(2)/77.—राज्यपाल, हिमाचल प्रदेश आवश्यक वस्तु अधिनियम, 1955 (1955 का अधिनियम 10) की धारा 3 के अन्तर्गत तथा जी० एस० आर० 300, दिनांक 9-6-1978 को पढ़ते हुए जोकि भारत सरकार, कृषि एवं सिंचाई मन्त्रालय (खाद्य विभाग) द्वारा जारी किया गया है के द्वारा प्रदत्त शक्तियों तथा सम्बन्ध अन्य सभी शक्तियों का प्रयोग करते हुये हिमाचल प्रदेश होडिंग एण्ड प्रोफिटीयरिंग आर्डर, 1977 जोकि सम-संख्यक अधिमूचना दिनांक 5-8-1977 द्वारा जारी किया गया था, में केन्द्रीय सरकार की स्वीकृति प्राप्त करके निम्नलिखित संशोधन करने का आदेश देते हैं:—

1. संक्षिप्त नाम और प्रारम्भ.—(1) इस आदेश का नाम हिमाचल प्रदेश होडिंग एण्ड प्रोफिटीयरिंग प्रिवेंशन (चतुर्थ संशोधन) आदेश, 1980 होगा।

(2) यह आदेश तुरन्त लागू माना जायेगा।

2. In paragraph 2 of the Himachal Pradesh Hoarding and Profiteering Prevention Order, 1977, (hereinafter called the said order):—

- (i) in clause (a) after the word "Schedule" but before the word "to" the figures and word "I, II and III" shall be inserted;
- (ii) for existing clause (d) the following clause (d) shall be substituted, namely:—
 "(d) "Inspector" means the Inspector of Food and Supplies and includes any person authorised by the Director to exercise all or any of the powers of the Inspector under this order";
- (iii) in clause (e) for the words "a Sub-Divisional Magistrate and Executive Magistrate in the District, District Food and Supplies Controller within the areas of their respective jurisdiction the words "the additional District Magistrate of the District" shall be substituted;
- (iv) for the existing clause (f), the following clause (f) shall be substituted, namely:—
 "(f) "Director" means the Director, Food and Supplies, Himachal Pradesh;"
- (v) after clause (f) so amended, the following clauses (g) and (h) shall be inserted, namely:—
 (g) "Magistrate" means the Sub-Divisional Magistrate and the Executive Magistrate within their respective jurisdictions;
- (h) "Deputy Director" means the Deputy Director, Food and Supplies and includes any officer not below the rank of the District Food and Supplies Controller authorised by the Director to exercise all or any of the powers of the Deputy Director under this order."

3. For the existing paragraph 3 of the said order, the following paragraph 3 shall be substituted, namely:—

- 3. (1) The Director, or subject to the directions of the Director the District Magistrate, may, by notification in the official gazette, fix in respect of any article given in Schedules I, II and III,—
 (a) the maximum quantity which may at any one time be possessed by a dealer or a producer provided that the quantity so fixed in this clause shall in no case exceed the quantity, if any, fixed under the specific Licensing and/or Price Control Order issued under section 3 of the Essential Commodities Act, 1955;
- (b) the maximum quantity which may at any one time be possessed by any consumer;
- (c) the maximum quantity which may in one transaction be sold to any person by a dealer or producer;
- (d) the maximum margin of profit that may be charged by a dealer or producer over his costs in respect of any article included in schedule I;
- (e) the maximum retail price including taxes in respect of any article in Schedule I that may be charged by a dealer or producer subject to the condition that the price so fixed shall not remain operative for more than a month at a time or for such further extended time which in no case shall exceed 3 months from the date of the first order.

(2) The quantities, price and margin of profit fixed in respect of any article under this paragraph may be different in different localities;

Provided that while fixing the margin of profit, the prescribed authority shall take into consideration, the nature of the commodities and also all relevant local conditions and that such margin of profit shall in no case be less than 1-1/2% and more than 10%. But in the case of fresh vegetables, the margin may extend upto 25%.

4. The existing paragraph 4 of the said order shall be re-numbered as sub-paragraph (1) and the following amendments shall be made therein, namely:—

(a) in clauses (b) and (c) the words “of this order” shall be omitted;

(b) the sign “;” shall be substituted for the sign “,” at the end of clause (c) and thereafter the following clause (d) shall be added, namely:—

“(d) charge more than the maximum retail price fixed under clause (e) of sub-paragraph (i) of paragraph 3.”;

(c) after sub-paragraph (1) so re-numbered and amended the following sub-paragraph (2) shall be added, namely:—

“(2) No dealer or producer shall charge in respect of any article in schedule III more than the price printed on packets under the provisions of the Standards of Weights and Measures Act, 1976 and the rules framed thereunder.”

5. In paragraph 6 of the said order the words “the Director, the Deputy Director, the District Magistrate or the Magistrate” shall be substituted for the words “the Director or the District Magistrate” wherever these occur.

6. In paragraph 7 of the said order after the words “District Magistrate” but before the sign “:” the words “or any person authorised in writing in this behalf by the Director” shall be inserted.

7. The existing paragraph 8 of the said order shall be omitted.

8. In sub-paragraph (1) of paragraph 10 of the said order after the words and sign “the District Magistrate” the words and sign “the Deputy Director, the Magistrate” shall be inserted.

9. For the existing Schedule to the said order the following Schedules I, II and III shall be substituted, namely:—

SCHEDULE I

[(See clause (a) of paragraph 2 and paragraph 3(1)]

1. Foodgrains (wheat, gram, barley, rice and maize including their products).
2. Bread.
3. Gur, Shakkar, Khandsari and Sugar.
4. Pulses.
5. Match boxes.
6. Kerosene oil and diesel.
7. Paper.
8. Soft-coke, hard coke, steam-coal and slack coal.
9. Liquified Petroleum Gas.
10. Exercise books.
11. Coarse woollen cloth/common cloth.
12. Meat/chicken/fish.
13. Eggs.
14. Tea leaves excluding tea leaves sold in packets.
15. Edible/vegetable oils and other hydrogenated oils except those sold in tins or other packets or 4 kg. or below.
16. Washing and toilet soaps excluding those sold in packets.
17. Cooked food served in Dhabas (Cheap eating houses) located in the jurisdiction of Municipal Corporation/Municipal Committee/Notified Area Committee.
18. Milk, curd and cottage cheese.
19. Fruit and vegetables.

SCHEDULE II

[(See clause (a) of paragraph 2 and paragraph 3(1)]

1. Baby Food sold in packets.
2. Tea leaves sold in packets.
3. Battery Transistor cells.
4. Tyres and tubes of cycles, rickshaws, motor cycles, scooters, trucks, buses, jeeps and cars.

SCHEDULE III

[(See clause (a) of paragraph 2 and paragraphs 3(1) and 4(2)]

1. Drugs.
2. Foodstuffs.
3. Soaps.

By order,
S. M. KANWAR,
Commissioner-cum-Secretary.